

AMENDED IN ASSEMBLY APRIL 5, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1502**

**Introduced by Assembly Member Washington**

February 26, 1999

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An act to amend Section 830.2 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1502, as amended, Washington. Peace officers: corrections.

Existing law provides that any member of the Law Enforcement Liaison Unit of the Department of Corrections, is a peace officer, provided that the primary duty of the peace officer shall be the investigation or apprehension of parolees, parole violators, or escapees from state institutions, the transportation of those persons, and the coordination of those activities with other criminal justice agencies.

This bill would revise this provision to confer peace officer status on any member of the Law Enforcement and Investigations Unit of the Department of Corrections as well as any member of the Office of Internal Affairs of ~~both the Department of Corrections and the Department of the Youth Authority~~, provided that the primary duties of these peace officers include among the duties specified above, the investigation or apprehension of criminal suspects, the execution of search warrants or subpoenas, and the making of arrests.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 830.2 of the Penal Code is  
2 amended to read:

3 830.2. The following persons are peace officers whose  
4 authority extends to any place in the state:

5 (a) Any member of the Department of the California  
6 Highway Patrol including those members designated  
7 under subdivision (a) of Section 2250.1 of the Vehicle  
8 Code, provided that the primary duty of the peace officer  
9 is the enforcement of any law relating to the use or  
10 operation of vehicles upon the highways, or laws  
11 pertaining to the provision of police services for the  
12 protection of state officers, state properties, and the  
13 occupants of state properties, or both, as set forth in the  
14 Vehicle Code and Government Code.

15 (b) A member of the University of California Police  
16 Department appointed pursuant to Section 92600 of the  
17 Education Code, provided that the primary duty of the  
18 peace officer shall be the enforcement of the law within  
19 the area specified in Section 92600 of the Education Code.

20 (c) A member of the California State University Police  
21 Departments appointed pursuant to Section 89560 of the  
22 Education Code, provided that the primary duty of the  
23 peace officer shall be the enforcement of the law within  
24 the area specified in Section 89560 of the Education Code.

25 (d) Any member of the Law Enforcement and  
26 Investigations Unit of the Department of Corrections, or  
27 the Office of Internal Affairs of the Department of  
28 Corrections, ~~or the Office of Internal Affairs of the~~  
29 ~~Department of the Youth Authority,~~ provided that the  
30 primary duties of the peace officer shall include the  
31 investigation or apprehension of criminal suspects,  
32 parolees, parole violators, or escapees from state  
33 institutions, the transportation of those persons, the  
34 execution of search warrants and subpoenas, the making  
35 of arrests, and the coordination of those activities with



1 other criminal justice agencies in the development and  
2 furtherance of administrative investigations, criminal  
3 investigation, or any combination thereof.

4 (e) Employees of the Department of Fish and Game  
5 designated by the director, provided that the primary  
6 duty of those peace officers shall be the enforcement of  
7 the law as set forth in Section 856 of the Fish and Game  
8 Code.

9 (f) Employees of the Department of Parks and  
10 Recreation designated by the director pursuant to  
11 Section 5008 of the Public Resources Code, provided that  
12 the primary duty of the peace officer shall be the  
13 enforcement of the law as set forth in Section 5008 of the  
14 Public Resources Code.

15 (g) The Director of Forestry and Fire Protection and  
16 employees or classes of employees of the Department of  
17 Forestry and Fire Protection designated by the director  
18 pursuant to Section 4156 of the Public Resources Code,  
19 provided that the primary duty of the peace officer shall  
20 be the enforcement of the law as that duty is set forth in  
21 Section 4156 of the Public Resources Code.

22 (h) Persons employed by the Department of Alcoholic  
23 Beverage Control for the enforcement of Division 9  
24 (commencing with Section 23000) of the Business and  
25 Professions Code and designated by the Director of  
26 Alcoholic Beverage Control, provided that the primary  
27 duty of any of these peace officers shall be the  
28 enforcement of the laws relating to alcoholic beverages,  
29 as that duty is set forth in Section 25755 of the Business and  
30 Professions Code.

31 (i) Marshals and police appointed by the Board of  
32 Directors of the California Exposition and State Fair  
33 pursuant to Section 3332 of the Food and Agricultural  
34 Code, provided that the primary duty of the peace  
35 officers shall be the enforcement of the law as prescribed  
36 in that section.

37 ~~SEC. 2. Section 830.2 of the Penal Code is amended to~~  
38 ~~read:~~

39 ~~830.2. The following persons are peace officers whose~~  
40 ~~authority extends to any place in the state:~~

1     ~~(a) Any member of the Department of the California~~  
2 ~~Highway Patrol including those members designated~~  
3 ~~under subdivision (a) of Section 2250.1 of the Vehicle~~  
4 ~~Code, provided that the primary duty of the peace officer~~  
5 ~~is the enforcement of any law relating to the use or~~  
6 ~~operation of vehicles upon the highways, or laws~~  
7 ~~pertaining to the provision of police services for the~~  
8 ~~protection of state officers, state properties, and the~~  
9 ~~occupants of state properties, or both, as set forth in the~~  
10 ~~Vehicle Code and Government Code.~~

11     ~~(b) A member of the University of California Police~~  
12 ~~Department appointed pursuant to Section 92600 of the~~  
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38 ~~Section 4156 of the Public Resources Code.~~

39     ~~(h) Persons employed by the Department of Alcoholic~~  
40 ~~Beverage Control for the enforcement of Division 9~~

1 ~~(commencing with Section 23000) of the Business and~~  
2 ~~Professions Code and designated by the Director of~~  
3 ~~Alcoholic Beverage Control, provided that the primary~~  
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5 ~~enforcement of the laws relating to alcoholic beverages,~~  
6 ~~as that duty is set forth in Section 25755 of the Business and~~  
7 ~~Professions Code.~~

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13 ~~in that section.~~

